

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. AUG 8 1994

Returned to applicant for correction.....

Corrected application filed..... Map filed MAR 15 1991 under 55996

The applicant Earl J. and F.M. Jernigan

P.O. Box 81 of Fallon
Street and No. or P.O. Box No. City or Town

Nevada, 89406 hereby make... application for permission to change the
State and Zip Code No.

Place of use of a portion and the manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial Nos. 592-4 and
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

592-7 United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3;
Identify right in Decree.

United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in
the Federal District Court of Nevada.

1. The source of water is Truckee and Carson Rivers
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 62.19 acre-feet (20.80 acres x 2.99 acre-feet per acre)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Derby Dam being within N1SW1/4, Section 19 T20N
Describe as being within a 40-acre subdivision of public survey and by course and
R23E, M.D.B.&M. and Lehontan Dam being within SW1SE1/4, Section 33, T19N, R26E,
distance to a section corner. If on unsurveyed land, it should be stated.
M.D.B.&M.
6. The existing permitted point of diversion is located within No change
If point of diversion is not changed, do not answer.
7. Proposed place of use 5,427 acres - plus or minus- within Sections 10, 11, 12, 13, 14,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
15, 16, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33, 34, T17N, R29E, M.D.B.&M. See
sheet 2 of 2 Permit No. 55996, which map is incorporated by reference.
8. Existing place of use 17.64 acres in the SW1NE1/4, 3.16 acres in the SE1NE1/4, Section 33,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
T19N, R28E, M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from as decreed to Month and Day of each year.
Month and Day
10. Use was permitted from as decreed to Month and Day of each year.
Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) No new diversion or storage works on the
State manner in which water is to be diverted, i.e. diversion structure,
Truckee River and the Carson River will be constructed.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works N/A
13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant expressly reserves the right to transfer in a later proceeding: 1) 1.51 acre-feet for each of the 20.80 acres from which 2.99 acre-feet per acre is to be transferred by this application, and 2) 4.5 acre-feet for each of the 12.89 water-righted acres remaining at existing place of use.

s/Robert Wigington

By Robert Wigington, Applicant's Agent
2060 Broadway, Suite 230
Boulder, Colorado 80302

Compared jr/ jr/vjw

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place and manner of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson Rivers final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water right was still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

This temporary permit is also issued for the consumptive use portion pursuant to Article VII in the United States of America vs. Alpine Land and Reservoir Company, et al., D.C. No. D-183 BRT. The net consumptive use is determined to be 2.99 acre feet per acre of land removed from irrigation.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.412 cubic feet per second, but not to exceed 62.19 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be made on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 1st day of September,

A.D. 19 94

[Signature]
State Engineer

EXPIRED

DATE NOV 15 1994